

**MINUTES
ALABAMA REAL ESTATE APPRAISERS BOARD
RSA UNION STREET
SUITE 370
MONTGOMERY, ALABAMA
MAY 20, 2005**

MEMBERS PRESENT:

Mr. Clifford Odom
Mr. James Davis (Vice-Chairman)
Mr. Leston Stallworth
Mrs. Myra Pruitt
Mr. Thomas E. Garrett
Mr. Jon B. Blissitte (arriving at 8:15 a.m.)
Mr. Steve Martin

MEMBERS ABSENT:

Mr. Mandell Tillman (Chairman)
Mr. Otis Stewart, Jr.

OTHERS PRESENT:

Mrs. Lisa Brooks
Ms. Neva Conway
Mr. Randy Robertson
Mr. D.J. Dixon
Mrs. Carolyn Greene

GUESTS PRESENT:

Mr. Dennis Greene
Mr. Thad Moore (Brewton, AL)
Ms. Melissa Brogden (Georgiana, AL)

- 1.0 With quorum present Mr. Davis, Vice-Chairman called the meeting to order at 8:06 a.m. The meeting was held at the RSA Union Building, 100 N. Union Street, 3rd Floor Conference Room, Montgomery, Alabama.
- 1.1 The meeting was opened with prayer by Mr. Odom and then the Pledge of Allegiance.
- 2.0 Members present were Mr. James Davis, Mr. Clifford Odom, Mr. Leston Stallworth, Mr. Thomas Garrett, Mr. Steve Martin, Mr. Jon B. Blissitte (arriving at 8:15 a.m.) and Mrs. Myra Pruitt. Members

absent were Mr. Otis Stewart, Jr., and Mr. Mandell Tillman. At this time the Board asked the guests to introduce themselves.

- 3.0 On motion by Mrs. Pruitt and second by Mr. Martin the regular minutes for March 18, 2005 were approved as written. Motion carried by unanimous vote.

At this time Mr. Davis opened the Public Hearings on Administrative Rules 780-X-4-.02 Application and License Fees, 780-X-9-.01 Trainee Real Property Appraiser, 780-X-12-.02 Continuing Education Requirements.

Mr. Moore and Ms. Brogden spoke to the Board on Administrative Rule 780-X-9-.01 Trainee Real Property Appraiser. They voiced their opposition towards changing the 100 appraisals to 25, the 25-mile policy, the limitations in the Licensed Real mentors policy and the appraisals being ordered only through the mentor's office.

Mr. Greene concurred with Mr. Moore and Ms. Brogden on their views on the changes to Administrative Rule 780-X-9-.01.

The Board discussed at length the changes to Administrative Rule 780-X-9-.01 Trainee Real Property Appraiser. On motion by Mr. Odom and second by Mr. Blissitte the Board voted to change the Trainee/Mentor policy to 50 appraisals inspected instead of 25. Motion carried by unanimous vote.

No one spoke on Administrative Rule 780-X-4-.02 Application and License Fees.

At this time Mr. Greene spoke with the Board on Administrative Rule 780-X-12.02 Continuing Education Requirements. Mr. Greene voiced his concerns regarding the Board not requiring the 15-hour USPAP as part of this renewal. Mr. Greene also asked the Board to rescind the rule change on the website regarding the six year 15 hour USPAP requirement. After some discussion the Board asked Ms. Conway to research this situation again and report at the next meeting.

Mr. Martin discussed with the Board the mentor qualifications and whether approval should be made for applicants who have had disciplinary action. On motion by Mr. Martin and second by Mr. Garrett the Board voted to table this discussion until the next meeting to see additional changes for consideration. Motion carried by unanimous vote.

DISCIPLINARY HEARING – HENRY HASEEB

At this time the Board heard disciplinary hearing on Mr. Henry Haseeb with Hon. Walter Turner presiding as Administrative Law Judge.

On motion by Mr. Garrett and second by Mr. Martin the Board voted to suspend Mr. Haseeb's license for 90 days with no appraisal work being generated from his office by him or his Trainees. Also, the Board investigators will visit Mr. Haseeb's office twice during his suspension with a minimum of once a month without notice. Motion carried by unanimous vote. **(NEVA)**

- 3.2 Ms. Conway informed the Board the Everett Brooks hearing would be held on July 14 beginning at 9:30 a.m. and the Board meeting would be on July 15, 2005.
- 4.0 Ms. Conway informed the Board there could be a Special Session as early as May 23, 2005. Ms. Conway also informed the Board there are usually no confirmations during the Special Session.
- 5.0 On motion by Mr. Odom and second by Mr. Garrett the following applications were voted on as listed. Motion carried by unanimous vote.
- 5.1 **Trainee Real Property Appraiser applications approved:** Stephen Barnett, John E. Beck, James F. Bischoff, Terry K. Belcher, Marcus N. Childers, Royce M. Cox, Tina V. Enfinger, Denise E. Hill, Travis Y. Harris, Gregory A. Hayes, James C. Johnson, Patrick Mackin, Patricia J. McCabe, Randy C. Nelson, Larry W. Odom, Diane Pruitt, Clint A. Randolph, Paula A. Rice, Shawn A. Shaw, William B. Sumners, Van B. Thomason, April R. Vafeas, John S. Watson, Mark R. Wesson.
- 5.2 **State Registered Real Property Appraiser applications approved:** NONE
- 5.3 **Licensed Real Property Appraiser applications approved:** Laura M. Betts, Clint D. McElmoyl, Richard R. Wood. **Application deferred:** Woni H. Nelson. **Application denied:** Tina R. Turberville.
- 5.4 **Certified Residential Real Property Appraiser applications approved:** James B. Banks, Dale T. Bolena, Edmond G. Eslava, IV, Joseph N. Freeman, Steven B. Holland, Eric L. Wolfe. **Application deferred:** Jacqueline S. Carter, Byron K. Claybrook,

Patricia G. Davis, Carly S. Hinson, Kay T. McGinnis, Veronica M. Underwood. **Application denied:** Robert J. Andrews.

5.5 **Certified General Real Property Appraiser applications approved:** Matthew B. Mashburn (Recip.)(GA), Michael Rogers (Recip.)(GA), Joe D. Smith (Recip.)(TN), James F. Little. **Applications deferred:** George M. Shanahan.

6.0 Mrs. Brooks discussed the financial report with the Board. Mrs. Brooks stated we were 58% into FY 05 and 49% into budget expenditures. Mrs. Brooks also stated the 606 Fund is still very close to same place last year but predictably is continually going down a little at a time. Mrs. Brooks stated there were no negative trends that could not be reconciled at this time. On motion by Mrs. Pruitt and second by Mr. Martin the Board voted to approve the Financial Report. Motion carried by unanimous vote.

6.1 On motion by Mr. Garrett and second by Mr. Stallworth the following education courses and instructor recommendations were approved, deferred, or denied as indicated:

AGDA, APPRAISER DATA GROUP ASSOC., INC.

Renewal:

(CE) Advanced RealWorld Appraisal Forms Training Course – 16 Hours – Traditional Classroom
(Instructor: Charles Zanaty, Sr.)

Both Course and Instructor Approved

ASFMRA, AMERICAN SOCIETY OF FARM MANAGERS & RURAL APPRAISERS

Initial Application:

(LIC) National USPAP course (A-12 II) – 15 Hours – Traditional Classroom
(Instructor: Mark Lewis)

Both Course and Instructor Approved

AREA, ALABAMA ASSOCIATION OF REAL ESTATE APPRAISERS

Initial Application:

(LIC) General Real Estate Appraisal Application – 15 Hours – Traditional Classroom
(Instructor: Everett Brooks)

Both Course and Instructor Deferred

Renewal:

(CE) Overview of the Income Approach – 3.5 Hours – Traditional Classroom

(Instructor: Everett Brooks)

Both Course and Instructor Deferred

(CE) Review of the Cost Approach – 7 Hours – Traditional Classroom

(Instructor: Everett Brooks)

Both Course and Instructor Deferred

(CE) Review of the Sales Comparison Approach – 7 Hours – Traditional Classroom

(Instructor: Everett Brooks)

Both Course and Instructor Deferred

APPRAISAL INSTITUTE - CHICAGO

Renewal:

(CE) Online Residential Demonstration Appraisal Report Writing – 15 Hours –

(Instructor: Sandra Adomatis)

Both Course and Instructor Approved

CLIFF ODOM APPRAISAL SERVICES, INC.

Initial Application:

(CE) Getting Started with WinTOTAL a la mode Software – 8 Hours – Traditional Classroom

(Instructor: Cliff Odom)

Both Course and Instructor Deferred

(CE) Inspection of Subject Property & An Acceptable Scope of Work – 7 Hours – Tradition Classroom

(Instructor: Cliff Odom)

Both Course and Instructor Approved

(CE) ANSI-Method for Calculating Square Footage – 4 Hours – Traditional Classroom

(Instructor: Cliff Odom)

Both Course and Instructor Approved

The following CE course/instructor was approved March 18, 2005:

USPAP Frequently asked Questions & AL Appraiser Law – 8 Hours – Traditional Classroom, Approved Instructor: Cliff Odom.

THE DYNASTY SCHOOL

Renewal:

(CE) National USPAP Update Course – 7 Hours – Virtual Classroom

(Instructor: Lee R. Hess)

Both Course and Instructor Approved

MCKISSOCK APPRAISAL SCHOOL

Initial Application:

(LIC) Introduction to the Residential Appraisal Process – 15 Hours – Virtual Classroom

(Instructor: Mike Lightbourne)

Course Approved

Instructor Deferred pending receipt of more instructor information.

(CE) Made In America – 7 Hours – Virtual Classroom

(Instructor: Alan Simmons)

Both Course and Instructor Approved

(CE) Appraisal Trends – 7 Hours – Traditional Classroom

(Instructor: Steve Vehmeier)

Both Course and Instructor Approved

(CE) Disclosures & Disclaimers – 7 Hours – Traditional Classroom

(Instructor: Steve Vehmeier)

Both Course and Instructor Approved

(CE) Relocation Appraising is Different – 7 Hours – Traditional Classroom

(Instructor: Steve Vehmeier)

Both Course and Instructor Approved

Steve Vehmeier seeking approval to teach previously approved Traditional Classroom courses: 15-hour National USPAP Equivalent, 7-Hour National USPAP Update Equivalent, Two to Four Family Finesse: Appraising Multi-Family Properties. **Instructor Approved to teach previously approved said courses**

THE CE GROUP

Initial Applications:

(CE) Square Footage – Method for Calculating: ANZI Z765-2003
– 4 Hours – Traditional Classroom

(Instructor: Richard Laframboise)

Both Course and Instructor Approved

(CE) Understanding a Home Inspection Report – 3 Hour –
Traditional Classroom

(Instructor: Richard Laframboise & Greg Burden)

Both Course and Instructor Approved

(CE) Commercial Structures – 4 Hours – Traditional Classroom

(Instructor: Richard Laframboise)

Both Course and Instructor Approved

(CE) Red Flags – Property Inspection Guide – 3 Hours –
Traditional Classroom

(Instructor: Richard Laframboise)

Both Course and Instructor Approved

DEPARTMENT OF VETERANS AFFAIRS

Initial Application:

(CE) VA Guidelines and Updates – 9 Hours – Traditional
Classroom

(Instructor: John Heil & Fred Cargill)

Course and Instructor John Heil Approved

**Instructor Fred Cargill deferred for additional instructor
information**

SCHOOL OF REAL ESTATE CONCEPTS

Initial Application:

Hall M. Walls, Owner/Instructor is seeking transference of
application (fees) from previously approved 15-hour National
USPAP licensure course (not taught to date) towards application for
approval of following:

(CE) New Fannie Mae Forms – 7 Hours – Traditional Classroom

(Instructor: Hal M. Walls, Sr.)

Course and Instructor Approved pending Syllabus

CHARLES GABA REAL ESTATE INSTITUTE

Initial Application:

(CE) USPAP Update – 7 Hours – Traditional Classroom
(Instructor: Charles M. Gaba)

Course and Instructor Approved

Mr. Ken Guilfoyle seeking approval to teach previously approved courses: National USPAP Update Equivalent, Appraising the Oddball, 2-4 Family Finesse: Appraising Multi-Family Properties, Appraising High Value Residential Properties

Instructor Approved

Motion carried by unanimous vote.

Ms. Conway gave the Board a summary of Passing Point Judgments for the appraiser examination for their information.

The Board reviewed a letter from Mr. Fletcher S. Vickers III requesting approval to re-enter into the Charles Gaba Real Estate Institute to finish the 45 hours necessary to complete the Fundamentals of Real Estate Appraisal course he started in February 2004. Due to an illness and hospital stay he was unable to finish the course. The Board saw no reason he could not re-enter the course. If Mr. Gaba was going to charge him again, that would be between he and Mr. Gaba.

The Board reviewed a letter from Mr. Steve Coleman requesting approval to count CE credit for the course Introduction to the Legal Environment of Business for Foresters given by the Georgia Forestry Association Office. The Board approved as long as the course is approved by the Georgia Real Estate Appraisers Board.

Mr. Robertson suggested to the Board that a third investigator could be hired to handle all education.

6.2 There were no disciplinary reports for the Board to review at this meeting.

Ms. Conway discussed with the Board the investigative status charts. Ms. Conway informed the Board since last meeting the Board received 42 new complaints, 30 complaints dismissed and 13 settled with a total of 87 open complaints.

6.2.1 The Board reviewed Probable Cause Report **AB-05-06 Companion Case AB-05-07**: On motion by Mr. Stallworth and

second by Mr. Odom the Board voted that probable cause does exist. The Board also voted to suspend supervisor privileges under the emergency action provisions of the APA. Motion carried by unanimous vote.

The Board reviewed Probable Cause Report **AB-04-98 Companion Case AB-04-99**: On motion by Mr. Garrett and second by Mr. Stallworth the Board voted that probable cause does exist and to follow investigators recommendation and proceed with formal investigation. Motion carried by unanimous vote.

The Board reviewed Probable Cause Summary **AB-04-94 Companion Case AB-04-95**: On motion by Mr. Stallworth and second by Mr. Odom the Board voted that probable cause does exist and to follow investigators recommendation and proceed with formal investigation. Motion carried by unanimous vote.

The Board reviewed Request for Board Initiated Complaint and Probable Cause Summary **AB-04-91 Companion Case AB-04-92**: On motion by Mr. Odom and second by Mr. Garrett the Board voted that probable cause does exist. Motion carried by unanimous vote. On motion by Mr. Stallworth and second by Mrs. Pruitt the Board voted to follow investigators recommendation and proceed with a formal investigation. Motion carried by unanimous vote.

The Board reviewed Probable Cause Summary **AB-04-77**: On motion by Mr. Garrett and second by Mr. Stallworth the Board voted probable cause does exist and to follow investigators recommendation and proceed with formal investigation. Motion carried by unanimous vote.

The Board reviewed Request for Board Initiated Complaint and Probable Cause Summary **AB-04-71**: On motion by Mr. Stallworth and second by Mrs. Pruitt the Board voted that probable cause does exist. Motion carried by unanimous vote. On motion by Mr. Stallworth and second by Mrs. Pruitt the Board voted to follow investigators recommendation and proceed with formal investigation. Motion carried by unanimous vote.

The Board reviewed Probable Cause Summary **AB-04-93 Companion Case AB-04-44**: On motion by Mrs. Pruitt and second by Mr. Garrett the Board voted that probable cause does exist and to follow investigators recommendation and proceed with formal investigation. Motion carried by unanimous vote.

The Board reviewed Probable Cause Summary **AB-04-47**: On motion by Mrs. Pruitt and second by Mr. Garrett the Board voted that probable cause does exist and to follow investigators recommendation and proceed with formal investigation. Motion carried by unanimous vote.

The Board reviewed Probable Cause Summary **AB-04-48**: On motion by Mrs. Pruitt and second by Mr. Garrett the Board voted that probable cause does exist and proceed with formal investigation. Motion carried by unanimous vote.

The Board reviewed Request for Board Initiated Complaint and Probable Cause Summary **AB-04-71**: On motion by Mrs. Pruitt and second by Mr. Garrett the Board voted that probable cause does exist. Motion carried by unanimous vote. On motion by Mrs. Pruitt and second by Mr. Garrett the Board voted to follow investigators recommendation and proceed with formal investigation. Motion carried by unanimous vote.

The Board reviewed Probable Cause Summary **AB-04-77**: On motion by Mrs. Pruitt and second by Mr. Garrett the Board voted that probable cause does exist and to follow investigators recommendation and proceed with formal investigation. Motion carried by unanimous vote.

The Board reviewed Probable Cause Summary **AB-04-81**: On motion by Mrs. Pruitt and second by Mr. Garrett the Board voted that probable cause does exist and to follow investigators recommendation and proceed with formal investigation. Motion carried by unanimous vote.

The Board reviewed Probable Cause Summary **AB-05-02**: On motion by Mrs. Pruitt and second by Mr. Garrett the Board voted that probable cause does exist and to proceed with formal investigation. Motion carried by unanimous vote.

The Board reviewed Probable Cause Summary **AB-05-03**: On motion by Mrs. Pruitt and second by Mr. Garrett the Board voted that probable cause does exist and to and proceed with formal investigation. Motion carried by unanimous vote.

The Board reviewed Probable Cause Summary **AB-05-21**: On motion by Mrs. Pruitt and second by Mr. Garrett the Board voted that probable cause does exist and to proceed with formal investigation. Motion carried by unanimous vote.

The Board reviewed Probable Cause Summary **AB-05-22**: On motion by Mrs. Pruitt and second by Mr. Garrett the Board voted that probable cause does exist and to proceed with formal investigation. Motion carried by unanimous vote.

The Board reviewed Probable Cause Summary **AB-05-34**: On motion by Mrs. Pruitt and second by Mr. Garrett the Board voted that probable cause does exist and to proceed with formal investigation. Motion carried by unanimous vote.

The Board reviewed Probable Cause Summary **AB-05-47**: On motion by Mrs. Pruitt and second by Mr. Garrett the Board voted that probable cause does exist and to proceed with formal investigation. Motion carried by unanimous vote.

6.2.2 The Board reviewed anonymous complaints **AB-05-82, AB-05-83, AB-05-84, and AB-05-85**. On motion by Mr. Martin and second by Mr. Stallworth the Board voted to initiate formal complaints. Motion carried by unanimous vote.

6.2.3 The Board reviewed Consent Settlement Order on **AB-04-19**. On motion by Mr. Martin and second by Mr. Stallworth the Board voted to approve this Consent Settlement Order as presented. Motion carried by unanimous vote.

6.3 No reciprocal agreements to report since last meeting.

6.4 The following reciprocal licenses were issued since last meeting: James B. Banks (R)(TX), Matthew B. Mashburn (G)(GA), Michael Rogers (G)(GA), Joe D. Smith (G)(TN).

7.0 The temporary permit report was provided to the Board for their information.

8.0 Mrs. Brooks asked the Board's permission to have the Account Clerk desk evaluated to make sure the job duties are still in line for that classification. The Board approved this process.

On the same subject Mr. Robertson asked Board permission for Mrs. Brooks to check into having the Investigator Supervisor classification upgraded. The Board decided to table this issue until Chairman Tillman could be present.

Ms. Brooks included in the Board books an e-mail from Ms. Haney of her intention to submit a signed letter of complaint via first class mail, return receipt requested and her intention to provide all

supporting documentation in Adobe pdf via e-mail. The Board still stands by their decision not to accept any complaint or supporting documentation via e-mail since our e-mailed documents can be manipulated.

Included in the Board books were letters from Gov. Riley re-appointing Mr. Tillman, Mr. Stallworth and Mr. Odom to the Board for their information along with various e-mails from Ms. Haney regarding these re-appointments.

Ms. Conway discussed with the Board the e-mail from Ms. Haney regarding the surrender of Mr. Walter Jones appraisal license.

A complementary letter of Mr. Joe Dixon was included in the Board books for Board information.

At this time Mr. Robertson complemented Mr. Dixon on his work since he has been with the Board. Mr. Robertson told the Board that Mr. Dixon has been assigned 28 cases and has completed investigations on 18 of those cases.

Mr. Blissitte asked the Board to review a website he asked to be included in the Board books.

Ms. Brooks included in the Board books functional specifications from Alabama Interactive who are in charge of the implementation of our on-line renewal process. Ms. Brooks informed the Board the process should be ready to start testing by July 1, 2005.

Ms. Brooks also discussed with the Board the possibility of going to a paperless system in the Board office. After the on-line renewals are in place she will do more research on this system.

Mr. Dixon and Mr. Robertson asked the Board to consider asking appraisers when they renew their license to submit a recent photograph. This would help in their investigations. Ms. Conway indicated this might require a rule change and would not be possible to implement by this renewal period.

Ms. Brooks asked the Boards permission to send Mr. Dixon to ARELLO the Advanced Investigator Workshop in Louisville, KY from August 17-21, 2005. On motion by Mr. Garrett and second by Mr. Odom the Board voted to grant this permission. Motion carried by unanimous vote.

Mr. Odom discussed his e-mail that was placed in the Board books pertaining to starting an Alabama Real Estate Appraisers Forum. This forum would obtain each appraisers e-mail address and the Board would use this forum as a means for the Appraisers Board to send regular mail-outs via e-mail to keep the appraisers better informed with the current happenings of the Board. This would also cut down the cost of postage. There would be no cost to the appraisers to be a member of the forum. The Board asked Ms. Conway to check into this.

The Board reviewed comments from Mr. Kirk Epstein regarding the implementation of the 2008 Education Criteria. Mr. Epstein has concerns with the "Firm Date" scenario verses the "Segmented Date". Mr. Davis appointed a 2008 Education Criteria committee to review the information and report at the next meeting. The committee members are Ms. Conway, Ms. Brooks, Chairman, Mr. Odom, Mr. Garrett and Mr. Tillman.

Mrs. Brooks informed the Board she would like to schedule the next Trainee Orientation in July and then another to follow in August.

Ms. Conway gave a memo to the Board pertaining to the 15-hour USPAP/7-hour USPAP update requirement.

At 12:10 p.m. on motion by Mr. Odom and second by Mr. Stallworth the Board voted to enter Executive Session to discuss the good name character of an individual. Motion carried by unanimous vote.

At 12:45 p.m. on motion by Mr. Martin and second by Mrs. Pruit the Board voted to re-enter Regular Session. Motion carried by unanimous vote.

On motion by Mr. Stallworth and second by Mrs. Pruit the Board voted to change Mrs. Brooks title from Acting Executive Director to Interim Executive Director and recommended a 5% pay increase from her current salary. The Board instructed Mrs. Brooks that she would have the responsibilities and duties of an Executive Director of the Board. Motion carried by unanimous vote.

9.0 Meeting adjourned at 11:45 a.m.

Sincerely,

Lisa Brooks
Interim Executive Director

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APPROVED: _____
Mandell Tillman, Chairman